

**Opening Statement  
Chairman Tom Davis  
Committee on Government Reform  
“Smooth Sailing or an Impending Wreck?”  
The Impact of New Visa and Passport Requirements on Foreign Travel to the United States”**

**July 10, 2003**

I would like to welcome everyone to today’s hearing on the government’s management of security requirements for foreign visitors seeking entry to this country. The issue of visa delays should come as no surprise to most members. Next to issues concerning Social Security, visa problems tend to be the most requested issue when it comes to casework within our districts.

The Committee continues to be concerned that flawed implementation of current and looming security requirements may needlessly delay or deny entry of foreign travelers to our country for business or tourism. We all agree that homeland security is our top priority, and that as a result of September 11, we need to closely scrutinize visitors to our country. Today, the Committee will examine the entry process for visitors to see if there are ways that, without sacrificing security, we can mitigate delays that impede legitimate business and tourist travel.

Prior to the September 11 attacks, the State Department’s visa operations focused primarily on screening applicants to determine whether they intended to work or reside illegally in the United States. Consular officers were encouraged to facilitate legitimate travel, and overseas consular sections were given substantial discretion in determining the level of scrutiny applied to visa applications.

Since September 11, the U.S. government has introduced some changes to strengthen the security of visa issuance. For example, the State Department has increased the types of security checks it conducts on applicants and the number of agencies involved with those checks. Consular officers are also conducting longer applicant interviews and more of them. Along with these additional precautions, however, come delays that have seriously affected American businesses and the tourism industry.

Longstanding business relationships are being disrupted because legitimate travelers attempting to travel to the U.S. cannot obtain visas. Opportunities for new business relationships and normal business practices are being blocked, and personnel transfers within some U.S. corporations are being delayed. In addition, U.S.-based foreign employees visiting family or traveling on business who need to renew visas or change them to reflect new status are being significantly delayed in their efforts to return to work.

If current delays weren’t enough, we understand that additional delays are expected. On August first, the State Department will implement new regulations that will further reduce the instances in which consular interviews can be waived for visa applications. This is expected to change interview rates from ten percent of visa applicants in some locations to close to ninety percent of applicants. A cable sent in May of this year from Secretary Powell to all diplomatic and consular posts states, that the Bureau of Consular Affairs “expects and accepts that many

posts will face processing backlogs for the indefinite future.” Posts are required to use existing resources for the interview increase and are not permitted to use overtime.

In some countries, the wait time for interview appointments can be several months. For example, one of the consulates in India, a country that is a source of many hi-tech companies and employees, has such a large interview backlog that it is no longer accepting appointments for interviews. This means that travelers must spend additional time and money to travel to alternative interview locations. In some countries, the toll phone call to set up an interview appointment at the consulate can cost a day’s wage or more.

We are here today to understand what steps the State Department is taking to minimize the impact this new requirement will have on business and tourism in the United States.

Committee staff visited U.S. consular operations in Germany and Latvia to see how increased security requirements are being implemented at both large and small missions. The embassies in both Latvia and Germany have already ramped up interview operations to require interviews for over 80 percent of visa applicants. The embassy in Berlin uses an appointment system that provides applicants an interview appointment within two business days of the date of a request. The embassy in Latvia has set aside one day of the week for interviews for applicants identified by the local chapter of the American Chamber of Commerce as priority applicants. This scheduling accommodation will save time for business travelers who need to obtain a visa quickly.

Another example of an innovative idea that minimizes delays is the way the embassy in Latvia permits maritime sailors who register through a central crewing agency to be granted visas safely without interviews. The embassy believes that this method allows for a secure way to streamline the visa process for what amounts to nearly a quarter of the total visa applicants in Latvia.

Under the impending State Department interview requirements, such a procedure may require a waiver. The Committee hopes that the State Department will consider reasonable alternative processes that will expedite processing without jeopardizing our security.

Another expected source of delays begins in October of this year when the USA PATRIOT Act requires visitors to the United States to use machine-readable passports to enter the country. Although government sources report that many countries are in fact producing machine-readable passports, travelers may not actually possess them. Travelers who attempt to enter the country without a machine-readable passport will be required either to apply for a visa to enter the United States or to apply for a new passport. I am interested in hearing from our panels today about how this new requirement is being publicized both here and abroad, what policies are in place for any waivers, and what the airlines are expected to do when would-be travelers are unable to present machine-readable passports.

I hope that by the end of this hearing, the Committee will have a good picture of the important security measures the State Department, the Department of Homeland Security, and the Federal Bureau of Investigation are taking to protect the homeland from foreign visitors who

would do us harm. But I also hope that we can learn about ways in which potential damage to American business and tourism can be avoided or mitigated.

We have assembled an impressive group of witnesses to help us understand the current and expected problems pertaining business travel and what actions are being taken to prevent or mitigate travel delays. We will hear from the Department of State, the Department of Homeland Security, the Federal Bureau of Investigation. We will also receive input from the private sector, including the U.S. Chamber of Commerce, the Travel Industry Association of America, and the law firm Fragomen, Del Rey, Bernsen & Loewy.

I would like to thank all of our witnesses for appearing before the Committee, and I look forward to their testimony.